

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 H-02 EB-07 OPIC-03 SCS-03 SCA-01 TRSE-00

JUSE-00 COME-00 L-03 /032 W  
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R 101350Z SEP 75

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC 4538

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E.O. 11652: N/A

TAGS: EVIN, ETRD, CASC, RO

SUBJ: OUTSTANDING PROPERTY CASES

REF: STATE 186227

1. SUMMARY. SEPARATE DEMARCHES MADE TO MINISTRIES OF FINANCE, FOREIGN AFFAIRS, AND FOREIGN TRADE ON PROPERTY CASES AND GSP. MINISTRY OF FINANCE HEADING GOR TEAM TO PREPARE RESPONSES TO QUESTIONS POSED IN EMBASSY AIDE-MEMOIRE RELATING TO DECREE 223. END SUMMARY

2. WE HAVE UNDERTAKEN FOLLOWING SERIES OF REPRESENTATIONS TO BRING TO GOR ATTENTION FACT THAT GSP HINGED INTER ALIA UPON DETERMINATION THAT ROMANIA SATISFIED TERMS OF SECTION 502(B) (4) OF TRADE ACT AND THAT, IN THIS CONTEXT, WE SEEKING CLARIFICATION OF DECREE 223.

A. AMBASSADOR SENT LETTERS TO DEPY PM PATAN AND FORMIN MACOVESCU DURING WEEK OF AUGUST 11 OUTLINING TERMS OF SECTION 502 AND INDICATING OUR INTENTION TO BE IN COMMUNICATION WITH MINISTRY OF FINANCE REGARDING DECREE 223.

B. IN ORDER TO EXPEDITE REQUESTED APPOINTMENT WITH MINISTRY OF FINANCE, EMBASSY FORWARDED COPY OF AIDE-MEMOIRE (COPIES BEING POUCHED TO EUR/EE CHRISTENSEN AND L/C KWIA TEK) INCORPORATING QUESTIONS DRAWN IN PART FROM POINTS MADE BY LIMITED OFFICIAL USE

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DEPARTMENT IN PARA 4, REFTTEL.

C. AMBASSADOR AGAIN RAISED QUESTIONS WITH MACOVESCU ON AUGUST 29, REFERRING TO ECON COUNSELOR'S PENDING CALL ON FINANCE AND POINTING OUT RELATIONSHIP OF SECTION 502(B)(4) TO ROMANIAN ELIGIBILITY FOR GSP.

D. EMBOFFS HAD LONG-DELAYED SESSION (CAUSED BY LEAVE OF APPROPRIATE MINISTERIAL OFFICIALS) WITH DEPY MINFIN EPURE ON SEPTEMBER 4. WE STRESSED THAT CLARIFICATION OF DECREE 223 WAS LINKED WITH USG CONSIDERATION OF GSP. DEPY MIN RESPONDED THAT AIDE-MEMOIRE WAS RECEIVING STUDY FROM TEAM COMPOSED OF REPRESENTATIVES OF MINISTRIES OF FINANCE AND FOREIGN AFFAIRS PLUS COMMISSION FOR PEOPLES' COUNCILS. EPURE PROMISED TO RESPOND TO OUR QUESTIONS AS QUICKLY AS POSSIBLE BUT OFFERED NO INDICATION WHEN THIS MIGHT BE.

E. AMBASSADOR RETURNED TO THEME IN MEETING WITH DEPUTY FOREIGN MINISTER OANCEA ON SEPTEMBER 8. OANCEA CONFIRMED THAT WORKING GROUP WAS EXAMINING OUR QUERIES.

2. COMMENT: WE HAVE NO REAL INSIGHT AS TO LINE OF APPROACH GOR WILL ADOPT IN ITS RESPONSE. IN WHAT WE PRESUME TO HAVE BEEN TACTICAL PLOY, OANCEA, WHO ACKNOWLEDGED THAT HE WAS NOT LAWYER, PROFESSED TO SEE NO CONNECTION BETWEEN DECREE 223, WHICH HE TERMED PURELY INTERNAL REGULATION, AND FOREIGN TRADE QUESTION SUCH AS GSP. AMBASSADOR COUNTERED THAT THERE WERE NUMEROUS INSTANCES OF DOMESTIC LEGISLATION OF ONE STATE AFFECTING INTERESTS OF CITIZENS OF ANOTHER STATE. OANCEA WENT ON TO OBSERVE THAT BEFORE IT COULD MAKE REPLY GOR MIGHT NEED TO CLARIFY PRECISE CHARACTER OF U.S. CONCERNS, IN RESPONSE TO WHICH AMBASSADOR OFFERED FULL ASSISTANCE OF EMBASSY.

3. WITH VARIETY AND NUMBER OF REPRESENTATIONS WE HAVE MADE GOR CANNOT BE LABORING UNDER MISAPPREHENSION ABOUT IMPORTANCE WE ATTACH TO DECREE AND POTENTIAL IMPLICATIONS WE SEE FOR ROMANIAN ELIGIBILITY FOR GSP. WE ARE EQUALLY CERTAIN, HOWEVER, THAT GOR APPRECIATES FACT THAT SECTION 502 (B)(4) RELATES TO ACTUAL RATHER THAN POTENTIAL SEIZURE. POSSIBILITY CANNOT BE DISCOUNTED, THEREFORE, THAT GOR WILL RESPOND BY REQUESTING US TO CITE SPECIFIC CASES AT ISSUE. WHAT GIVES LIMITED OFFICIAL USE

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US SOME ENCOURAGEMENT IS THAT WORKING GROUP HAS BEEN CONVOKED TO GRAPPLE WITH QUESTIONS IN OUR AIDE-MEMOIRE. OUR HOPE IS THAT ENTICEMENT OF GSP BEING ACCORDED ON JANUARY 1 MAY PROMPT GOR TO BE FORTHCOMING.  
BARNES

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## Message Attributes

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**Current Classification:** UNCLASSIFIED  
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**Review Authority:** ShawDG  
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**Review Date:** 11 JUN 2003  
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**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006